

REMARKS

I. Summary of the Office Action

Claims 1-17 were issued in the above-identified patent in connection with which this reissue has been made. Claims 18-76 were added by a Preliminary Amendment dated November 20, 2003.

Claims 1-76 were rejected as being based upon a defective reissue declaration under 35 U.S.C. § 251. Claims 19, 20, 24-38, 40, 41, 44-57, 59, 60 and 63-76 were rejected under 35 U.S.C. § 251 as being based upon new matter added to the patent for which reissue is sought. Claims 1-18, 21-23, 39, 42, 43, 58, 61, and 62 were indicated to contain allowable subject matter.

II. Summary of Telephonic Interview

Applicants would like to thank the Examiner for the courtesies extended during the January 26, 2010 telephonic interview with the undersigned and during the March 5, 2010 telephonic interview with Michael Chasan (Reg. No. 54,026). During the interviews, the outstanding rejections and support for the claims were discussed and the undersigned believes agreement was reached with respect to certain claim amendments. Details of the interviews and arguments in support of applicants' position are presented below.

III. Amendments to the Claims

Applicants have cancelled claims 25, 45, and 64, without prejudice.

Applicants have amended dependent claim 19 as follows:

19. The system of claim 18 wherein the one or more user selected program content rating criteria comprise a ~~first~~ plurality of program content rating criteria.

Applicants have amended dependent claim 20 as follows:

20. The system of claim 19 wherein the processor is configured to override the blocking of a ~~second plurality~~ one or more of the ~~first~~ plurality of program content rating criteria.

Applicants have amended independent claim 24 as follows:

24. A system comprising:

a television tuner that supplies video signals to a video display; and

a processor configured to block the television tuner from supplying video signals of television programs that meet one or more of a ~~first~~ plurality of user selected program blocking criteria to the video display;

said processor being further configured to allow a user to override a ~~second plurality of user selected blocking criteria~~ of the ~~first~~ plurality of user selected blocking criteria from being used to block the display of television programs ~~that meet one or more of the second plurality of user selected program blocking criteria~~ until the system is shut off.

Applicants have amended dependent claim 31 as follows:

31. The system of claim 24 wherein the processor is configured to override the blocking of the display of television programs that meet the ~~second~~ plurality of user selected blocking criteria if the user enters a predetermined code.

Applicants have amended dependent claim 40 as follows:

40. The system of claim 39 wherein the one or more user selected program content rating criteria comprise a ~~first~~ plurality of program content rating criteria.

Applicants have amended dependent claim 41 as follows:

41. The system of claim 40 wherein the means for overriding further comprise means for the blocking of a ~~second plurality~~ one or more of the ~~first~~ plurality of program content rating criteria.

Applicants have amended independent claim 44 as follows:

44. A system comprising:
means for supplying selective video signals to a video display;
means for blocking the means for supplying from supplying video signals to the video display of television programs that meet one or more of a ~~first~~ plurality of user selected program blocking criteria; and

means for overriding the blocking by the means for blocking of the video signal of television programs that meet ~~a second plurality of user selected blocking criteria of~~ the ~~first~~ plurality of user selected blocking criteria from being used to block the display of television programs until the system is shut off.

Applicants have amended dependent claim 51 as follows:

51. The system of claim 44 wherein the means for overriding ~~blocking~~ the display of television programs that meet the ~~second~~ plurality of user selected program content rating criteria overrides if a user enters a predetermined code.

Applicants have amended dependent claim 59 as follows:

59. The method of claim 58 wherein the one or more user selected program content rating criteria comprise a ~~first~~ plurality of program content rating criteria.

Applicants have amended dependent claim 60 as follows:

60. The method of claim 59 wherein the overriding further comprise blocking of ~~a second plurality~~ one or more of the ~~first~~ plurality of program content rating criteria.

Applicants have amended independent claim 63 as follows:

63. A method comprising:

supplying selective video signals to a video displays;

blocking the supplying video signals to the video display of television programs that meet one or more of a ~~first~~ plurality of user selected program blocking criteria to the video display; and

overriding the blocking of television programs that meet a ~~second plurality of user selected blocking criteria~~ of the ~~first~~ plurality of user selected blocking criteria from being used to block the display of television programs until the shutting off of a system that displays the television programs.

IV. Reply to the § 251 Rejections

The Examiner rejected claims 1-76 as being based upon a defective reissue declaration under 35 U.S.C. § 251. Applicants submit herewith a Petition under 37 C.F.R. § 1.47(a) setting forth the pertinent facts concerning the refusal of inventor Henry C. Yuen to join the reissue application and a substitute reissue declaration executed by the remaining inventors to correct any defect associated with the previously submitted reissue declaration. Accordingly, applicants respectfully request that the rejection under § 251 based on a defect in the reissue declaration be withdrawn.

The Examiner also rejected claims 19, 20, 24-38, 40, 41, 44-57, 59, 60, and 63-76 under 35 U.S.C. § 251 as being based upon new matter added to the patent for which reissue is sought. Applicants respectfully traverse this rejection.

A. Claims 19, 40, and 59

Applicants' dependent claims 19, 40, and 59, prior to amendment, recited that "the one or more user selected program content rating criteria comprise a first plurality of program content rating criteria." Applicants respectfully submit that the unamended version of these claims do not add new matter.

Dependent claims 19, 40, and 59 depend from independent claim 18, 39, and 58, respectively, and further define the "one or more user selected program content rating criteria" feature from the independent claims as comprising "a first plurality of program content rating criteria." Thus, dependent claims 19, 40, and 59 define the "one or more user selected" aspect of the program content rating criteria as comprising "a first plurality." The independent claims, however, were not rejected by the Examiner under § 251 as being based upon new matter. Therefore the rejection of the dependent claims must be based on the "a first plurality" language.

The undersigned discussed this rejection with the Examiner during the January 26, 2010 telephone interview. The undersigned believes the Examiner agreed during the interview that applicants specification supports a "plurality" of program content rating criteria. See, e.g., "V-block" and "Block Program" in FIG. 7 and at col. 13, lines 48-52 of applicants' specification. The Examiner stated, however, that the new matter rejection is based on the word "first," which is used to modify the claimed "plurality," and the undersigned believes the Examiner agreed that the deletion of "first" from the claim would overcome the rejection. Applicants respectfully disagree with the Examiner's view that the word "first" adds new matter.

Nevertheless, in order to advance prosecution, applicants have deleted the word "first" from dependent claims 19, 40, and 59. Accordingly, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 19, 40, and 59 based on new matter be withdrawn.

B. Claims 20, 41, and 60

Applicants' dependent claims 20, 41, and 60 are directed to overriding the blocking of program content rating criteria. The Examiner in the Office Action contends that the claimed overriding of "the blocking of a second plurality of the first plurality of program content rating criteria" feature is new matter and not supported by applicants' specification. Applicants respectfully disagree and submit that the unamended version of these claims do not add new matter.

The undersigned discussed this rejection with the Examiner during the January 26, 2010 telephone interview. The undersigned believes the Examiner informed the undersigned that the rejection is specifically based on the language: "a second plurality of the first plurality." As discussed above in section IV(A), the Examiner believes the word "first" in "first plurality" adds new matter. The Examiner further stated during the telephone conference that the "second plurality" language also adds new matter. Applicants respectfully disagree with the rejection and believe that at least the flow-chart of FIG. 7 and the corresponding description in applicants' specification of adding, deleting, and overriding rating criteria fully supports this claim language and thus these claims do not add new matter.

Nevertheless, in order to advance prosecution, applicants have amended the claims to replace "a second

plurality of the first plurality" with "one or more of the plurality." The undersigned believes the Examiner agreed that the replacement language would overcome this rejection. Accordingly, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 20, 41, and 60 based on new matter be withdrawn.

C. Claims 24, 44, and 63

Applicants' independent claims 24, 44, and 63 are generally directed to systems and a method for blocking the supply of video signals and overriding the blocking. With respect to claim 24, the Examiner in the Office Action contends that the following claim features are new matter and are not supported by applicants' specification:

"processor ... to block ... one or more of a first plurality of user selected blocking criteria to the video display;" and

said processor ... override a second plurality of user selected blocking criteria of the first plurality of user selected blocking criteria from being used to ... shut off"

With respect to independent claims 44 and 63, the Examiner cited to similar corresponding language as being the basis of the new matter rejection. These claim features include the "first plurality" and "second plurality" language discussed above in sections IV(A) and IV(B). Applicants believe the new matter rejection of these claims is based on this same language. Applicants respectfully disagree with the rejection for at least the same reasons discussed above in sections IV(A) and IV(B).

Nevertheless, in order to advance prosecution, applicants have amended claims 24, 44, and 63 to:

1. Delete the word "first" from "a first plurality;" and
2. Replace "a second plurality of user selected blocking criteria of the first plurality" with "the plurality"

In addition, applicants have amended claim 24 to delete the language: "that meet one or more of the second plurality of user selected program blocking criteria," which does not appear in independent claims 44 and 63.

The rejections of these claims and the claim amendments were discussed during the March 5, 2010 telephonic interview with Michael Chasan (Reg. No. 54,026). Mr. Chasan believes the Examiner agreed that these amendments should overcome the new matter rejection. Accordingly, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 24, 44, and 63 based on new matter be withdrawn.

D. Claims 25, 45, and 64

Applicants have cancelled claims 25, 45, and 64 without prejudice. Accordingly, the rejection of claims 25, 45, and 64 based on new matter under 35 U.S.C. § 251 is moot and should be withdrawn.

E. Claims 31 and 51

Applicants' dependent claims 31 and 51 are generally directed to overriding the blocking of television programs. With respect to claim 31, the Examiner in the Office Action contends that the claimed overriding of the "blocking of the display of television programs that meet the second plurality of user selected blocking criteria if the user enters a predetermined code" feature is new matter and not supported by

applicants' specification. With respect to claim 51, the Examiner cited to similar corresponding language as being the basis of the new matter rejection. Applicants respectfully disagree and submit that the unamended version of these claims do not add new matter.

Dependent claims 31 and 51 depend from independent claims 24 and 44, respectively and as discussed above, in section IV(C), the Examiner believes the "second plurality" language adds new matter. Applicants respectfully disagree with the rejection and believe that at least the flow-chart of FIG. 7 and the corresponding description in applicants' specification of adding, deleting, and overriding blocking criteria after entering a user ID fully supports this claim language and thus these claims do not add new matter.

Nevertheless, in order to advance prosecution, applicants have amended the claims to replace "second plurality" with "plurality." The undersigned believes the Examiner agreed that the replacement language would overcome this rejection. Accordingly, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 31 and 51 based on new matter be withdrawn.

F. Claims 33, 52 and 71

Applicant's independent claims 33, 52, and 71 are directed to, *inter alia*, overriding the blocking of the display of television programs. The Examiner in the Office Action contends that the "...to restore the blocking of the display of the television programs based on the overridden viewing restrictions" feature of these claims is new matter and not

supported by applicants' specification. Applicants respectfully disagree.

Support for this claim feature can be found, e.g., in applicants' specification, col. 13, lines 54-61, col. 12, lines 65-67, and FIG. 7. Col. 13, lines 54-61 of applicants' specification recite, for example, that the user may "select entry 6 on the menu to override the parental control operation" and that this will "cause the override of step 317 [of FIG. 7] to permit normal TV viewing (step 318) after which the TV will be shut off in step 319 [of FIG. 7] or the menu of FIG. 12 may again be displayed in step 320." FIG. 7 shows and col. 12, lines 65-67 of applicants' specification recite that the "TV is turned on at step 300 [of FIG. 7], and any other ancillary apparatus, such as parental control circuitry 40 in FIG. 1, is also turned on," which again enables the blocking of TV programs selected to be blocked at, for example, step 303 of FIG. 7.

Because the override operation permits normal TV viewing by overriding the blocking of TV programs until the TV is shut off and because the blocking of programs via parental control is turned on when the TV is subsequently turned on, applicants' specification supports allowing the user to restore the blocking of the display of television programs based on the overridden viewing restrictions, as defined by claims 33, 52, and 71. For at least this reason, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 33, 52, and 71 based on new matter be withdrawn.

G. Claims 34, 53 and 72

Applicant's dependent claims 34, 53, and 72 are generally directed to allowing the restoration of the blocking

of the display of television programs. With respect to claim 34, the Examiner in the Office Action contends that the "to restore the blocking of the display of television programs by the system being shut off" feature of this claim is new matter and not supported by applicants' specification. With respect to claims 53 and 72, the Examiner cited to similar corresponding language as being the basis of the new matter rejection. Applicants respectfully disagree.

Support for these claim features can be found, e.g., in applicants' specification, col. 13, lines 54-61, col. 12, lines 65-67, and FIG. 7. Col. 13, lines 54-61 of applicants' specification recite, for example, that the user may "select entry 6 on the menu to override the parental control operation" and that this will "cause the override of step 317 [of FIG. 7] to permit normal TV viewing (step 318) after which the TV will be shut off in step 319 [of FIG. 7] or the menu of FIG. 12 may again be displayed in step 320 [of FIG. 7]". FIG. 7 shows and col. 12, lines 65-67 of applicants' specification recite that the "TV is turned on at step 300 [of FIG. 7] and any other ancillary apparatus, such as parental control circuitry 40 in FIG. 1, is also turned on," which again enables the blocking of TV programs selected to be blocked at, for example, step 303 of FIG. 7.

Because the override operation permits normal TV viewing by overriding the blocking of TV programs until the TV is shut off and because the blocking of programs via parental control is turned on when the TV is subsequently turned on, applicants' specification supports subsequently allowing the restoration of the blocking of the display of television programs by the system being shut off, as defined by claims 34,

53, and 72. For at least this reason, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 34, 53, and 72 based on new matter be withdrawn.

H. Claims 35, 54 and 73

Applicant's dependent claims 35, 54, and 73 are directed to allowing the restoration of the blocking of the display of television programs by pressing one or more predetermined button on a control. With respect to claim 35, the Examiner in the Office Action contends that the "...to restore the blocking of the display of television programs by pressing one or more predetermined button on control" feature of this claim is new matter and not supported by applicants' specification. With respect to claims 54 and 73, the Examiner cited to similar corresponding language as being the basis of the new matter rejection. Applicants respectfully disagree.

Support for these claim features can be found, e.g., in applicants' specification, col. 13, lines 54-61, col. 12, lines 65-67, and FIGS. 1 and 7. Col. 13, lines 54-61 of applicants' specification recite, for example, that the user may "select entry 6 on the menu to override the parental control operation" and that this will "cause the override of step 317 [of FIG. 7] to permit normal TV viewing (step 318) after which the TV will be shut off in step 319 [of FIG. 7] or the menu of FIG. 12 may again be displayed in step 320 [of FIG. 7]." FIG. 7 shows and col. 12, lines 65-67 of applicants' specification recite that the "TV is turned on at step 300 [of FIG. 7] and any other ancillary apparatus, such as parental control circuitry 40 in FIG. 1, is also turned on," which again enables the blocking of TV programs selected to be blocked at, for example, step 303

of FIG. 7. Applicants' specification discloses, for example, the use of power key 27 to turn the system on and off. See FIG. 1 and col. 11, lines 25-43.

Because the override operation permits normal TV viewing by overriding the blocking of TV programs until the TV is shut off and because the blocking of programs via parental control is turned on when the TV is subsequently turned on using, for example, remote controller power key 27, applicants' specification supports allowing the restoration of the blocking of the display of television programs by pressing one or more predetermined button on a control, as defined by claims 35, 54, and 73. For at least this reason, applicants respectfully request that the 35 U.S.C. § 251 rejection of claims 35, 54, and 73 based on new matter be withdrawn.

V. Conclusion

In light of the foregoing, applicants respectfully submit that this application is in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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